

COUNTY COUNCIL

OF

TALBOT COUNTY

2014 Legislative Session, Legislative Day No.: August 12, 2014

Resolution No.: 213

Introduced by: Mr. Bartlett, Mr. Duncan, Mr. Hollis, Mr. Pack, Ms. Price

A RESOLUTION TO AMEND THE TALBOT COUNTY SOLID WASTE MANAGEMENT PLAN TO INCREASE THE PERCENTAGE OF THE SOLID WASTE STREAM DIVERTED TO RECYCLING WITHIN THE COUNTY FROM FIFTEEN PERCENT (15%), THE FORMER RECYCLING GOAL SET BY STATE LAW UNDER SECTION 9-505 (A) (19) OF THE ENVIRONMENT ARTICLE, TO AT LEAST TWENTY PERCENT (20%), THE CURRENT RECYCLING GOAL FOR JURISDICTIONS SUCH AS TALBOT COUNTY WITH A POPULATION LESS THAN 150,000

By the Council: August 12, 2014

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, September 9, 2014 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order:



Susan W. Moran, Secretary

A RESOLUTION TO AMEND THE TALBOT COUNTY SOLID WASTE MANAGEMENT PLAN TO INCREASE THE PERCENTAGE OF THE SOLID WASTE STREAM DIVERTED TO RECYCLING WITHIN THE COUNTY FROM FIFTEEN PERCENT (15%), THE FORMER RECYCLING GOAL SET BY STATE LAW UNDER SECTION 9-505 (A) (19) OF THE ENVIRONMENT ARTICLE, TO AT LEAST TWENTY PERCENT (20%), THE CURRENT RECYCLING GOAL FOR JURISDICTIONS SUCH AS TALBOT COUNTY WITH A POPULATION LESS THAN 150,000

WHEREAS, Talbot County adopted the 2009-2019 Solid Waste Management Plan ("SWMP") by Resolution 177, as amended, on March 8, 2011; and,

WHEREAS, Talbot County, a jurisdiction of fewer than 150,000 people, is required under Environment Article § 9-505 (a) (19), Md. Ann. Code, to revise its recycling plan within the SWMP to provide for a reduction through recycling of at least 20% of the County's solid waste stream; and,

WHEREAS, Talbot County recognizes the economic and environmental benefits of recycling, and desires to amend the Talbot County SWMP accordingly.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, as follows:

Section 1. In accordance with the requirements of Chapter 5 of the Talbot County Solid Waste Management Plan ("SWMP") and COMAR 26.03.03.05, the proposed amendment will be submitted for comment to municipal corporations, town and county agencies, sanitary districts, owners of private facilities, and federal or State agencies having programmed solid waste management facilities in the County. Further, pursuant to Environment Article § 9-506 (a) (1), Md. Ann. Code, the proposed amendment will be submitted to the Talbot County Planning Commission and the Talbot County Public Works Advisory Board for review and comment, within a 30 day period, for consistency with planning programs for the County. Before the County Council may adopt the proposed amendment the Talbot County Planning Commission must first certify that the amendment is consistent with the County Comprehensive Plan prepared under Article 25A, §5 (X), Md. Ann. Code. Upon conclusion of the public hearing(s), closing of the public record, receipt and consideration of certifications and recommendations from the Planning Commission and Public Works Advisory Board, the County Council will consider and act upon the proposed amendment. Adopted amendments will be submitted to MDE for final review and approval as required by COMAR 26.03.03.05 C. (3).

Section 2. The Talbot County SWMP shall be and is hereby amended to increase the percentage of the solid waste stream diverted to recycling to at least 20%, as set forth in Exhibit "A," attached hereto and incorporated by reference herein.

Section 3. Having been duly advertised and public input and comment considered, the foregoing Resolution shall be and is hereby APPROVED.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its date of passage.

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. _____ having been published, a public hearing was held on _____ in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Enacted: _____

By Order: _____
Secretary

Bartlett -

Hollis -

Pack -

Price -

Duncan -

EXHIBIT “A” TO RESOLUTION NO. 213

KEY

Boldface..... Heading or defined term.
Underlining..... Added to existing law by original bill.
~~Strikethrough~~..... Deleted from existing law by original bill.
* * *Existing law unaffected.

* * *

CHAPTER ONE – GOALS, OBJECTIVES AND REGULATORY STRUCTURE

1.1 SOLID WASTE MANAGEMENT GOALS AND OBJECTIVES

* * *

According to the 2004 Maryland Recycling Act (MRA) Report, the quad-county MRRP region has a population of approximately 123,344 people. The MRRP Region is mandated by the Maryland Recycling Act of 1988 to maintain a recycling program which establishes goals and objectives for recycling 15% of the total solid waste generated within the Region. In 2012, the 1998 Act was amended by House Bill 929, increasing the recycling goal to 20% for jurisdictions with fewer than 150,000 people, such as Talbot County. Table 13 and 14 of this Plan provide a quantitative breakdown of recycling magnitudes compared to the total waste generated in the quad-county region as well as Talbot County exclusively.

* * *

CHAPTER THREE- EXISTING SOLID WASTE MANAGEMENT

3.1 EXISTING AND PROJECTED SOLID WASTE MANAGEMENT

* * *

Midshore Regional Recycling Program (MRRP)

As previously stated, Talbot, Kent, Queen Anne’s and Caroline Counties established the Midshore Regional Recycling Program (MRRP) as a cooperative agreement in 1991. Tables 9 and 10 detail the

recycling effort within the four county region as well as Talbot County solely. Table 9 represents the recycling data as provided by the MRRP coordinator for the year 2007. It should be understood that the MRRP is not required to track all waste streams (e.g., soil) and as a result the MRRP values for Total Waste Disposed are lower than the actual Totals in Table 8.1-8.2. The reporting methods and basis for calculations by the MRRP are consistent with requirements by the Maryland Recycling Act of 1988.

Table 10 details the waste diversion rate for Talbot County exclusively over a six year period. Food By-Product (FBP) is a significant contributor in the region as well as Talbot County. Therefore, the MRRP coordinator has provided figures which show the recycling rate with and without the FBP waste included. Even without the FBP, the recycling rates exceed the ~~+5%~~20% recycling goal mentioned earlier and demonstrate a progressive increase in the waste diversion rate. There is hope that the waste diversion rate can increase even further with continued education and outreach as well as possible future curbside recycling programs.

* * *

CHAPTER FOUR- FUTURE SOLID WASTE MANAGEMENT

* * *

4.3 RECYCLING PLAN FOR TALBOT COUNTY, MARYLAND

The Recycling Plan for Talbot County, Maryland, as mandated by Section 9-505 of the Maryland Recycling Act of 1988, was completed and submitted to Maryland Department of the Environment in July 1990. The Plan was amended in 1991 and finally approved by Maryland Department of the Environment's Office of Waste Minimization and Recycling in 1992. In 1991, Talbot County, together with three (3) other Eastern Shore Counties (Kent, Queen Anne's and Caroline), established the Midshore Regional Recycling Program (MRRP).

As mandated by State law, Talbot County must divert 20%~~+5%~~ of its solid waste stream through recycling. Key components to Talbot's Recycling Plan and its subsequent implementation are summarized below.

Collection

As can be seen in Table 13, 5,961 tons of residential recyclable materials were diverted from Talbot's waste stream in 2004 through regional collection programs, County collection programs and private recycling businesses. The following materials are currently collected for recycling in Talbot County:

Glass: (green, brown and clear bottles);	Newspaper;	Scrap tires;
White paper;	Auto batteries;	Yard waste;
Metal cans: (aluminum & steel)	Corrugated cardboard;	Clothing & textiles;
White goods;	Scrap metal;	Auto batteries,
Plastic: (narrow neck Bottles only)	Scrap tires;	Used motor oil;
Used antifreeze.		

As mentioned previously, Talbot County is exceeding the ~~20%~~^{15%} goal ~~as defined by the 1988 Maryland Recycling Act~~^{required by State law under Environment Article § 9-505 (a) (19)}. The MRRP has reported waste diversion rates near 25% in recent years for Talbot County, excluding some commercial wastes (see Table 14 above).

* * *

CHAPTER FIVE- ACTION PLAN

* * *

5.3 MANAGEMENT OF INDIVIDUAL WASTE STREAMS

The following mechanisms will be used for managing various waste streams. The permittee of all solid waste acceptance facilities within Talbot County is also subject to the requirements of COMAR 26.04.07 “Solid Waste Management” as well as applicable local ordinances and regulations.

Commercial, Residential, Industrial and Institutional Waste

All waste in these categories is currently disposed of at the Midshore Regional Solid Waste Management Facility in Talbot County. This facility will continue to be the sole waste disposal facility in Talbot County for solid wastes during the planning period. However, Talbot County will keep other options open for consideration during the next 10-year planning period.

The available options include diversion of municipal solid waste, if economical, to out-of-state landfills. This has some potential due to the recent development of several large commercial municipal landfills in Virginia. These facilities now contract to receive the municipal solid waste from several Maryland counties. They have a lower tipping fee than the MRSWMF, presumably due to the very large economy of scale. This option would require agreement by all four Midshore counties. The transfer station located

at a facility (MRSWMF or Midshore II) could serve the purpose of exporting solid waste to landfills outside the region. A comprehensive financial analysis to evaluate hauling costs, tipping fees and the on-going costs for servicing bonds and maintenance of a “mothballed” MRSWMF would be needed as part of the decision process.

Other options include: 1) Expansion of the Midshore group to include other Eastern Shore counties. Currently Dorchester County owns and operates a municipal solid waste landfill with room for expansion; and, 2) Cooperation with the Delaware Solid Waste Authority to potentially develop a solid waste management system for the entire Delmarva Peninsula.

In 2012, the Maryland General Assembly passed House Bill 929, which increased the existing 15% state mandated recycling goal to 20%. House Bill 929 also required that the new 20% goal be incorporated into county recycling plans by July 1, 2014, and be fully implemented by December 31, 2015. Talbot County is currently exceeding the 20%+5% state mandated goal of diverting its solid waste stream through recycling, and expects no changes in the recycling system by the deadline for implementation of December 31, 2015. As diversion rates are currently near 25%, during the lifetime of this plan the County should have a goal to increase the diversion rate to 35%. An increase in the percentage of the waste stream that is recycled will conserve landfill capacity and thereby extend the life of the MRSWMF. However, reducing the tonnage of waste received will increase the unit cost of disposal per ton, since fixed and operating costs are somewhat constant.

* * *

i:\county attorney\14-51 swmp amendment, apartment and condo recycling\2 - 20% goal\exhibit a_20% goal.docx